

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8554

UNITED STATES OF AMERICA

Plaintiff,

v.

Jose Alberto VILLASENOR,

Defendant.

Magistrate Case No.:

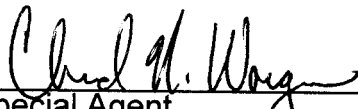
COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960  
Importation of a Controlled  
Substance (Felony)

The undersigned complainant being duly sworn states:

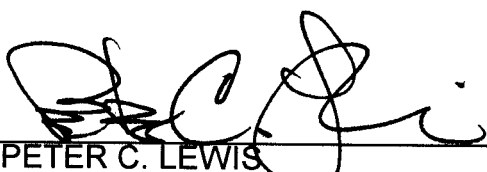
That on or about June 18, 2008, within the Southern District of California, defendant Jose Alberto VILLASENOR did knowingly and intentionally import approximately 16.98 kilograms (37.36 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Special Agent  
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 19<sup>TH</sup>

DAY OF JUNE 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1  
2  
3  
4 UNITED STATES OF AMERICA

v.

5 Jose Alberto VILLASENOR

6 STATEMENT OF FACTS

7 This Statement of Facts is based on the reports, documents,  
8 and notes furnished to U. S. Immigration and Customs Enforcement  
9 Special Agent Chad N. Worgen.

10 On June 18, 2008, at approximately 0930 hours, U. S.  
11 Immigration and Customs Enforcement (ICE) Special Agents (SA) were  
12 conducting enforcement operations near the Calexico West Port of  
13 Entry. ICE SA Torregrosa and SA Vensk observed a 2002 Chrysler  
14 PT Cruiser (the vehicle) at Imperial Avenue and Second Street in  
15 Calexico. SA Torregrosa recognized the vehicle as one which had  
16 been involved in previous suspicious activity at the Port of  
17 Entry. When SA Torregrosa saw the vehicle it was facing north,  
18 which indicated to SA Torregrosa that the driver had just exited  
19 the Port of Entry. Consequently, SA Torregrosa followed the  
20 vehicle. When the vehicle entered El Centro, California, El  
21 Centro Police Officers initiated a traffic stop for a violation  
22 of the California Vehicle Code. The driver of the vehicle was  
23 identified as Jose Alberto VILLASENOR (VILLASENOR).

24 A Customs and Border Protection Canine Unit was contacted  
25 and responded to the scene of the traffic stop. Canine  
26 Enforcement Officer (CEO) S. Barela screened the vehicle with his  
27 Narcotics Human Detector Dog (NHDD). The NHDD alerted to the  
28 vehicle's rear tire well.

1  
2  
3 An inspection of the vehicle resulted in the discovery of a  
4 non-factory installed compartment located in the rocker panels of  
5 the vehicle. In the compartment, a brick-shaped package was  
6 discovered. The vehicle was taken to the Calexico West Port of  
7 Entry for further inspection.

8 An intensive inspection resulted in the discovery of a total  
9 of fifteen (15) packages located in the passenger side rocker  
10 panel and rear driver side quarter panel. A package was probed  
11 by SA J. Morquecho and it produced a white powdery substance that  
12 field tested positive for cocaine. The total weight of the  
13 packages of cocaine was 16.98 kilograms (37.36 pounds).

14 VILLASENOR was arrested for violation of Title 21 United  
15 States Code 952 and 960, Importation of a Controlled Substance.  
16 SA Worgen advised VILLASENOR of his rights per *Miranda*. The  
17 advisement of rights was witnessed by SA Torregrosa. VILLASENOR  
18 stated he understood his rights and was willing to answer  
19 questions without the presence of an attorney.

20 VILLASENOR stated he was asked by an individual named  
21 "Javier" to cross the vehicle into the United States from Mexico  
22 and register it in VILLASENOR's name. When SA Worgen asked  
23 VILLASENOR, "Javier's" last name, VILLASENOR stated he did not  
24 know. VILLASENOR stated he had the vehicle in his possession, on  
25 and off, for approximately three weeks. VILLASENOR stated he  
26 previously drove the vehicle across the United States/Mexico  
27 border three or four times, and was told to drive the vehicle in  
28 order to become familiar with it. VILLASENOR told the El Centro  
Police Officers that Daniel Ivan Rodriguez, the registered owner  
of the vehicle, was his nephew. However, when questioned by SA  
Worgen, VILLASENOR denied knowing Daniel Ivan Rodriguez.